

QUAC0004

09/531,951

REMARKS

1. Applicant thanks the Examiner for the Examiner's comments, which have greatly assisted Applicant in responding.

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Applicant has amended Claims 1, 16, 22, 32, 42, and 46. It should be noted that Applicant has elected to amend said Claims solely for the purpose of expediting the patent application process in a manner consistent with the PTO's Patent Business Goals, 65 Fed. Reg. 54603 (9/8/00). In making this amendment, Applicant has not and does not in any way narrow the scope of protection to which Applicant considers the invention herein to be entitled and does not concede, in any way, that the subject matter of such claim was in fact taught or disclosed by the cited prior art. Rather, Applicant reserves Applicant's right to pursue such protection at a later point in time and merely seeks to pursue protection for the subject matter presented in this submission.

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2. 35 U.S.C. §103(a). The Examiner has rejected Claims 1-51 under 35 U.S.C. §103(a) as being unpatentable over Gerace (U.S. Pat. No. 5,848,396) in view of Lumelsky (U.S. Pat. No. 6,246,672) and in further view of Lowe *et al* (U.S. Pat. No. 6,298,218).

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Applicant respectfully disagrees.

Basically, the Examiner retained the same arguments, but added that Applicant had not added further claim language to the claims to disclose what Applicant meant by 'context ratio' and 'sales ratio', and that therefore context ratio and sales ratio as disclosed in the claims were open to broad interpretation.

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Applicant has amended the independent claims to further clarify the distinction of the claimed invention over the prior art of record. Specifically, Applicant has added claim language to further clarify the context ratio and sales ratio of the claimed invention.

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Therefore, Applicant is of the opinion that the independent claims, and hence the dependent claims, are in condition for allowance. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection under 35 U.S.C. §103(a).

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CONCLUSION

5 Based on the foregoing, Applicant considers the present invention to be distinguished from the art of record. Accordingly, Applicant earnestly solicits the Examiner's withdrawal of the rejections raised in the above referenced Advisory Action, such that a Notice of Allowance is forwarded to Applicant, and the present application is therefore allowed to issue as a United States patent.

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Respectfully Submitted,



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